

ORDINANCE 03-O-54 amending Chapter 14 "GARBAGE, WEEDS, TRASH AND OTHER SOLID WASTE" of the Murfreesboro City Code, Article I, Sections 14-2, 14-6, and 14-12 dealing with refuse collection.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. Section 14-2 of the Murfreesboro City Code is hereby amended by inserting the following definitions in alphabetic order and renumbering the existing definitions accordingly:

Bulk Refuse are items of solid waste which are too large, heavy or bulky to be disposed of in the automated garbage collection system refuse container and which are not grass, leaves or yard waste. Bulk refuse items include boxes, furniture, push lawn mowers from which all oils and fuels have been drained, and toys. Bulk refuse does not include any item otherwise excluded from City collection.

Grass Refuse is grass cuttings and trimmings, including weeds and roots from which all dirt has been removed.

Leaves are the fallen leaves of deciduous trees; leaves does not mean yard waste including tree branches or dead shrubs.

Yard Refuse is shrub and tree trimmings or clippings, and shrubs or trees from which all dirt has been removed.

SECTION 2. Section 14-6(a) of the Murfreesboro City Code is hereby amended by deleting the section in its entirety and substituting in lieu thereof the following:

(a) *Preparation of refuse.*

- (1) *Garbage.* All cans and bottles, which have contained food or liquids, shall be thoroughly rinsed and drained before being deposited for collection.
- (2) *Bulk Refuse.* No bulk refuse shall be placed outside for collection until the owner has contacted the Solid Waste Department and confirmed a pickup date. Between January 9 and December 24 of each year, pickup of bulk waste will generally be available with 48 hours' advance notice. No bulk refuse item should be placed outside for collection before 7:00 p.m. prior to the day of collection and no later than 7:00 a.m. on the day of collection. All bulk items shall be placed on the private property of the occupant not less than 5 feet from the curb. No garbage or any other type of waste or refuse shall be picked up when a bulk item is picked up. During the Christmas season of December 26 through January 9, bulk items may consist of boxes; these should be flattened and tied together. During the period of December 26 through January 9, bulk item pickup will not be available on a call-in basis.
- (3) *Grass and Leaves.* Grass and leaves shall be deposited loose or in moisture resistant, biodegradable bags adjacent to the front property line or, where alley pickup of garbage is provided, at the back property line. Paper bags are biodegradable; only biodegradable and compostable plastic bags may be used. Priority in pick up will be given to bagged grass and bagged leaves. Bags containing grass or leaves shall have tops, ties or other means of

preventing spillage, scattering or blowing away of the contents and shall be moisture proof or kept dry and shall be of sufficient strength to contain the grass or leaves without spillage during handling. Plastic bags shall not be used for grass or leaves. Bags used shall not exceed in size the approximate capacity of a 32-gallon regulation garbage container. If plastic or oversize bags are used, the grass or leaves will not be collected. It shall be unlawful to place grass or loose leaves on the sidewalk, in the street, in a storm drainage ditch or so near a storm drainage ditch that grass or leaves will float into the City storm drainage system. No grass or leaves, loose or in bags, shall be placed in the automated garbage collection system refuse container.

- (4) *Yard Waste.* Trimmings and clippings of shrubs and trees from residential properties shall be neatly piled adjacent to the front property line. Tree trimmings, hedge clippings, shrubs, and trees shall be cut to lengths not to exceed ten (10) feet and eight (8) inches in diameter before being deposited for collection. Limbs or logs in excess of eight (8) inches in diameter or ten (10) feet in length will not be collected by the City. Yard waste shall not be placed in bags used for grass or leaves nor shall yard waste be placed in the automatic garbage collection system refuse container. Christmas trees will be picked up as yard waste only if all ornaments, ornament hangars, tinsel and lights have been removed and if the tree was not flocked.

- (5) *Refuse.* All refuse to be placed in an automated garbage collection system refuse container shall be placed in a plastic or paper bag or wrapped in newspaper before being placed in the container.

No refuse shall be placed loose in the refuse container. All garbage and rubbish shall have been drained of all liquids before being deposited for collection. All fluorescent lighting bulbs shall be bagged, wrapped, or taped to prevent unconfined breakage when compacted.

- (6) *Personal trash cans prohibited.* No collection service will be provided to items placed in personal trash cans.

- (7) *City Collection is not available for the following:* Appliances; industrial and hazardous waste; pathogenic and radioactive waste; contagious disease refuse; inflammable or explosive refuse; building debris such as scrap lumber, plaster, roofing, concrete, brick vats, paint, paint cans, sanding and dust; plumbing debris such as pipes, plastic pipes, and plumbing fixtures; automotive waste such as batteries, gasoline, engine oil, tires, and rubber tubes; chemicals including pesticides and insecticides; carpet; carpet padding; riding lawnmowers and similar equipment; air conditioners; and metal objects.

- (8) *Biohazard bags prohibited.* No bag, which is red in color or marked "biohazard" shall be used in bagging grass, leaves, or garbage.

- (9) *Refuse containers.*

- a. Automated garbage collection system refuse containers. Each owner or occupant using or occupying any building, dwelling unit, or structure shall utilize refuse containers approved by the Solid Waste Department for the storage and collection of refuse and no other container. Refuse containers shall be issued by the City and shall remain the property of the City. Refuse containers shall remain at the address where

delivered and shall not be removed from the premises by any person. Markings and identification on the refuse containers shall not be defaced, altered, or removed.

- b. Duty to maintain refuse containers. Refuse containers shall be maintained by the occupant of the premises in good, clean and sanitary condition. If a refuse container is damaged in the course of normal and reasonable usage, or is damaged, destroyed or stolen but not through abuse, neglect, or improper use by the occupant, the refuse container shall be repaired or replaced by the City at no charge. Refuse containers which are damaged, destroyed, or stolen through neglect, improper use, or abuse by the occupant shall be replaced by the City at the expense of the occupant or the owner. Only one change in cart size (from standard to small or from small to standard) shall be allowed per year. The substitution shall be without charge only if the container to be exchanged is in good, usable condition.
- c. Volume of refuse. Refuse placed in the refuse container shall not exceed ninety-six (96) gallons or two hundred (200) pounds for a standard size cart. If a smaller cart is used, the volume of refuse shall not exceed sixty-four (64) gallons or one hundred (100) pounds. If a dwelling unit regularly exceeds the gallon or pounds limitation, the occupant or owner of the dwelling unit may be required to pay for one (1) additional refuse container by the city manager. The cost for an additional refuse container will be the same as the purchase price then paid by the City and shall be paid by the occupant or owner. The City will own the additional refuse container; however, in the event the occupant relocates in the City, the occupant may take the second refuse container to the occupant's new location in the City, except in the case of an occupant who is a tenant and the landlord paid the purchase price for the second refuse container. The City will not provide free collection services for more than two (2) refuse containers per dwelling.
- d. Use of automated refuse container. All refuse must be placed inside an automated refuse container and the lid closed. Refuse will not be picked up if the refuse container lid is not closed flat or if the refuse is placed outside the refuse container or is propped up against the refuse container except during the Christmas period of December 26 through January 9. The City will not pick up refuse unless it is properly stored within a closed automated refuse container unless a waiver has been issued by the City.
- e. Refuse containers if automated garbage collection system is not used. Should any citizen be unable to comply with these requirements and need reasonable accommodation pursuant to the Americans With Disabilities Act, or otherwise the citizen must submit a written request to the director of the Solid Waste Department. If the Solid Waste Department determines that the automated garbage collection system is not appropriate for use at a particular location, the owner or occupant shall use plastic bags with a minimum strength of two (2) mils and a minimum capacity of twenty (20) gallons and a maximum capacity of thirty (30) gallons. Each bag must be securely tied at the top and must not contain more than forty (40) pounds of refuse. The maximum refuse collected for each residence or apartment unit not using the automated

refuse container shall be three (3) 30-gallon bags or any combination thereof. If the Solid Waste Department determines that an alternate site or method of pickup is appropriate, the designation shall be changed and a record of such change, and the conditions justifying the change, shall be maintained.

SECTION 3. Section 14-6(c) of the Murfreesboro City Code is hereby amended by deleting the section in its entirety and substituting in lieu thereof the following:

- (b) *Collection area.* Refuse containers shall be placed for collection in the area designated on each property by the Solid Waste Department. Usually, this placement designation shall not be on a public sidewalk, in a public street, or in a drainage ditch. Containers shall be placed in the designated area so as to be readily accessible for removal by the City through the automated garbage collection system.

SECTION 4. Section 14-12 of the Murfreesboro City Code is hereby amended by substituting the phrase “grass and yard waste” for the word “trash”.

SECTION 5. That this Ordinance shall take June 1, 2004, the public welfare and the welfare of the City requiring it.

Passed:

1st reading January 8, 2004
2nd reading January 15, 2004
3rd reading February 5, 2004

Tommy Bragg, Mayor

ATTEST:

APPROVED AS TO FORM:

James B. Penner
City Recorder

Susan Emery McGannon
City Attorney

SEAL